

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

“Baby L.,” a minor, et al.,

*Plaintiffs,*

v.

Dr. MARK ESPER, in his official capacity as  
Secretary for the U.S. Department of Defense  
et al.,

*Defendants.*

**Civil Action No. 3:20-cv-9**

**UNOPPOSED MOTION TO EXTEND DEFENDANTS’ DEADLINE TO FILE  
SUPPLEMENTAL RESPONSE TO PLAINTIFFS’ MOTION FOR LEAVE TO  
PROCEED USING PSEUDONYMS AND MOTION TO SEAL**

Defendants hereby request a two-week extension of time within which to file a supplemental response to Plaintiffs’ Motion for Leave to Proceed Using Pseudonyms and Motion to Seal (“Motion to Seal”). Undersigned counsel has conferred with counsel for Plaintiffs, who indicates that Plaintiffs do not oppose this request. Good cause exists for the requested extension, as set forth below:

Pursuant to the Court’s Order of March 4, 2020, Defendants filed a response to Plaintiffs’ Motion to Seal on March 9, 2020. Pursuant to the Court’s Order of March 10, 2020, Defendants’ supplemental response is currently due March 23, 2020. On March 11, 2020, Plaintiffs filed a Notice of Voluntary Dismissal, but the Court has indicated that briefing on Plaintiffs’ Motion to Seal should proceed. *See* Order of Mar. 10, 2020, at 1.

On March 13, 2020, the President declared a national emergency recognizing the threat from the novel (new) coronavirus known as SARS-CoV-2. *See* Proclamation No.

9994, 85 Fed. Reg. 15337, 2020 WL 1272563 (Mar. 13, 2020). In light of this situation, undersigned counsel and agency counsel at the Defendant agencies the U.S. Department of Defense and U.S. Department of State are currently teleworking full-time and face associated unexpected work and home obligations. In addition, undersigned counsel had briefing deadlines in two other cases on March 13 and March 20, 2020. Defendants therefore request additional time to prepare their supplemental response.

In addition, in the course of conferring with Plaintiffs, the parties agreed that they will communicate regarding the issues raised by Plaintiffs' Motion to Seal in order to explore the possibility of reaching an agreement or clarifying or narrowing the issues in dispute. The additional two week period will allow the parties to confer on these issues.

Accordingly, Defendants respectfully request that the deadline for Defendants to file a supplemental response to Plaintiffs' Motion to Seal be extended up to and including April 6, 2020.

March 20, 2020

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General  
ALEXANDER K. HAAS  
Director, Federal Programs Branch

*/s/ Kathryn L. Wyer*  
KATHRYN L. WYER  
Federal Programs Branch  
U.S. Department of Justice, Civil Division  
1100 L Street, N.W., Room 12014  
Washington, DC 20005  
Tel. (202) 616-8475  
[kathryn.wyer@usdoj.gov](mailto:kathryn.wyer@usdoj.gov)  
*Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

The undersigned counsel certifies that on March 20, 2020, a true and accurate copy of the foregoing was filed through the Court's ECF system and automatically served through that system on counsel for plaintiffs.

/s/ Kathryn L. Wyer  
KATHRYN L. WYER